IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 7TH DECEMBER 2006 / 16TH AGRAHAYANA 1928

WP(C).No. 29883 of 2006(G)

PETITIONER:

G.RADHAKRISHNAN NAIR, RUGMA, MRA 32,
THIRUMULLAVARAM P.O.,KOLLAM, (RETIRED INSPECTOR,
KSRTC, KOLLAM).

BY ADV. SRI.ANANDARAJAN.N
SRI.K.K.MANGALANANDAN

RESPONDENTS:

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1. KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM-23

2.THE FINANCIAL ADVISOR & CHIEF ACCOUNTS
OFFICER, KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM-23

3.THE ASSISTANT PERSONNEL OFFICER
(PENSION), KERALA STATE ROAD TRANSPORT
CORPORATION, TRANSPORT BHAVAN, FORT P.O.,
THIRUVANANTHAPURAM-23.

4.THE DISTRICT TRANSPORT OFFICER,
K.S.R.T.C., KOLLAM.

5.THE GENERAL MANAGER,
KOLLAM CO-OPERATIVE URBAN BANK LTD.NO.960,
KOLLAM.

6.THE ARBITRATOR CUM SPECIAL SALE OFFICER,
KOLLAM CO-OPERATIVE URBAN BANK,
KOLLAM.

R1 TO R4 BY ADV.MR.JOHNSON P.JOHN, S.C.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX(WPC 29883/06)

PETITIONER'S EXTS.:

EXT.P1: TRUE COPY OF 1ST PAGE OF THE PENSION PAYMENT ORDER NO.28255 OF THE PETITIONER.

EXT.P2: TRUE COPY OF THE SUMMONS DATED 18.10.06 INCLUDING COPY OF THE PETITION SERVED ON THE PETITIONER BY THE 6TH RESPONDENT.

EXT.P3: TRUE COPY OF ORDER NO.PPC.1-5274/03 DATED 27.10.06.

PIUS C. KURIAKOSE,J.

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W.P.(C)No.29883 of 2006

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Dated: 7th December, 2006

JUDGMENT

In this writ petition the petitioner who is a retired employee of the K.S.R.T.C. seeks immediate release of his D.C.R.G. and Commuted Value of Pension so as to avert attachment and sale of his dwelling house. The petitioner retired from service on 31.5.2003. Even though the petitioner's turn as per the guidelines framed on the basis of the judgment of this court in W.A.No.289/01 has not reached, I find that on the principles laid down by this court in W.A.No.1775/04, there is justification for granting relief to the writ petitioner. It is noticed that counter affidavit has not been filed by the respondents so far. The Writ Petition accordingly will stand allowed with the following directions:

Respondent nos.1 to 4 shall pay all the amounts due to the petitioner on account of D.C.R.G. and Commuted Value of Pension within six weeks of receiving a copy of this judgment.

srd **PIUS C.KURIAKOSE, JUDGE**